

## REMARKS

**Claims 1-17 were pending.**

**Claims 1, 10, 12 and 15 are amended.**

**Claims 18-19 are new.**

**Claims 1-19 are pending.**

### **Amended Claims**

Claims 1 and 15 have been amended to add the proviso that the aqueous flocculant is not a Mannich polyacrylamide or a quaternized Mannich polyacrylamide. Support for this amendment may be found on page 9 last paragraph and original claims 10 and 12 .

Claims 10 12 have been amended to make consistent with claim 1.

### **New claims 18 and 19**

New claim 18 is supported by the disclosure on page 5, lines 13-15.

New claim 19 is supported by the disclosure on page 5, lines 20-23.

No new matter is added.

### **35 USC 112, second paragraph**

Applicants have amended claim 15 to require a dewatering step.

Thus applicants believe this rejection is overcome.

### **35 USC 103(a)**

**The Examiner rejects claims 1-3, 5-12, 15 and 17 under 35 USC 103(a) over Sorensen et al US 5846433 in view of Phillips, US 4,179,424.**

**Claims 4, 13, 14 and 16 are rejected under 35 USC 103(a) over Sorensen, US 5,846,433 in view of Phillips, US4, 179,424 as above, and further in view of Ghafoor, US 6,001,920.**

Sorensen et al discloses the treatment of a suspension first with a coagulant and then with a flocculant followed by dewatering to form a thickened sludge or cake (see abstract).

The present claims differ from Sorensen by reciting that the process includes thickening the flocculated suspension and adding a second flocculant which is a polymer having a specific Brookfield viscosity.

Examiner believes Phillips to disclose that it is known in the art to prepare quaternary ammonium salts of acrylamide having the recited Brookfield viscosity for use in industrial aqueous systems such as sewage plants. Thus according to the examiner it would have been obvious to modify Sorensen with the polymers of Phillips.

Applicants have added a proviso to the present claim which **excludes** Mannich polyacrylamide or quaternized Mannich polyacrylamide. Phillips invention and examples are directed only to Mannich bases, acrylamide polymers which are modified by reaction with formaldehyde and amines, to produce amino methylated polymers.

As the Mannich base polymers of Phillips are the only polymers characterized by a high viscosity, teach no other type of polymer and the present claim limitations exclude Mannich base polymers, the above combination does not arrive at the presently claimed invention.

Thus applicants believe this rejection is overcome.

### **Double Patenting**

Claims 1-17 are provisionally rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-14 of co-pending Application No. 10/591,776.

Applicants respectfully request to put off addressing this rejection until the limitations of the allowed claims are known. At that time, applicants can better determine the suitability of the present double patenting rejection.

Reconsideration and withdrawal of the rejection of claims 1-19 is respectfully solicited in light of the remarks and amendments *supra*.

Since there are no other grounds of objection or rejection, passage of this application to issue with claims 1-19 is earnestly solicited.

Applicants submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,



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